

REMARKS

Claims 1-12, 14-23 stand rejected. Claim 13 has been objected to. The present invention is directed to a kit supplied to a customer that is used to capture images and later allow the customer to access on-line images that have been stored at a service provider that have been obtained from the image retaining device. For example, as set forth in the specification, a roll of film has been provided to a customer with a unique ID. The unique ID is associated with the roll of film. The ID is first registered with a photoservice provider. Later, when the roll of film is sent for development, the ID is used so that the images obtained from scanning of the images are associated with the ID that has been previously registered. See page 1, lines 22 to page 2, line 9 of the present application. Thus, it can be seen that the ID is associated with the image retaining device that is used for capturing of images by the customer.

Thus, at the time of registration, there are no images available for the service provider to store images. It is respectfully submitted that the cited prior art does not teach or suggest the invention as claimed.

The Examiner, in paragraph 1 of the official action, rejected claims 1, 3-12 and 14-23 under 35 USC § 102(e) as being anticipated by Watanabe (EP 0930774 A2). It is respectfully submitted that the '774 reference is totally apart and distinct from the present invention. The '774 reference is directed to a system whereby images that have been stored on a service system can be grouped into different albums allowing selective access by different individuals to different albums. The images placed in the albums may come from a variety of sources. As set forth in column 6, lines 57 to column 9, the image data are inputted to the system by laboratory 3. Digital images obtained by the laboratory are registered when requested by the user. See column 1, paragraph 3. Thus, it is not the roll of film that is registered, but the digital images that are obtained by scanning. Register IDs are used for grouping of the images (see paragraph 49). For example, images may be grouped in Group A and Group B.

As previously discussed in the present invention, image capture device, such as a roll of film, are registered and the images that are later obtained, for example, scanning of the film, is associated with the ID for later access to the stored images by the customer utilizing the registered ID in the present invention.

The benefit of the present invention is that it allows registration of images yet to be captured for storage on the photoservice site such that the images will automatically be placed at a location where the customer can readily access the images. In addition, the present invention also allows the registration of multiple image retaining devices which the customer uses or image retaining devices that are used by friends and relatives. Thus, as long as the image retaining devices are registered with the same ID, the customer and selected friends and relatives of the customer may access all of the images associated with that single ID. Thus, images can be captured at a later point in time by the customer or any of the friends or relatives and then automatically be associated with a single ID with the service provider.

With respect to claim 1, Watanabe does not teach a kit as there is nothing that is actually provided to the customer other than a roll of film. In the present invention, there is provided an image retaining device which includes a unique ID and the unique ID has been previously forwarded to the network for the photoservice provider where images obtained later from the image retaining devices can be stored. As previously noted, the register ID is obtained only at the time of scanning of the images. Thus, there is no pre-registration of the ID as taught and claimed by Applicants. This is in contrast to the '774 reference wherein the images are registered only at the time of obtaining the images from the scanned roll of film. Accordingly, it is respectfully submitted that the '774 reference could not teach or suggest the invention as set forth in claim 1. Likewise, claim 14 is distinguishable for the same reasons previously discussed with respect to claim 1. In claim 14, as with claim 1, the registering of the image capture device occurs prior to the photoservice receiving the film. Additionally, as previously discussed, there is no actual kit supplied to the customer as claimed by Applicants.

Claim 23 is respectfully submitted to be distinguishable over the '774 reference for the same reasons previously discussed. In addition, claim 23 specifically sets forth that the unique ID is used by the network photoservice provider to register certain goods and services to a customer to be associated with the images later obtained from said image storage device. Here again, the registration occurs prior to receipt of the actual images and associated with particular goods and services. In addition, the kit includes a software program

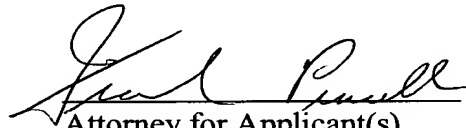
Roll of film
reads on the
12.15
Contrary to
15T 21m. al
4th para pg 2
of remarks

Limitation
Substantially
reads on
claim 14
already reject.

that is used by the customer with respect to the images obtained from the image retaining device. The remaining claims depend, at least ultimately, upon the independent claims previously discussed and are, therefore, patentably distinct for the same reason.

In view of the foregoing, Applicants respectfully submit that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank Pincelli", written over a horizontal line.

Attorney for Applicant(s)
Registration No. 27,370

Frank Pincelli/phw
Rochester, NY 14650
Telephone: 585-588-2768
Facsimile: 585-477-4646